

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 P.M. Monday, May 9, 2016
City Hall, Council Chambers
Meeting No. 09-16

A. CALL TO ORDER

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 7:04 p.m. by Mayor Slawik.

Mayor Slawik reported on a letter being sent supporting the designation of Minnesota as the official site of the 2023 World's Fair and its theme Wellness and Wellbeing for All. She then provided information on the City's Laugh In event being held at the Maplewood Community Center on Saturday, May 14, 2016.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Nora Slawik, Mayor	Present
Marylee Abrams, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
Bryan Smith, Councilmember	Present
Tou Xiong, Councilmember	Present

D. APPROVAL OF AGENDA

The following items were added to the agenda under Appointments and Presentation, Council Presentation:

City's Communications Committee Update.

Councilmember Juenemann moved to approve the agenda as amended.

Seconded by Councilmember Xiong Ayes – All

The motion passed.

E. APPROVAL OF MINUTES

1. Approval of April 25, 2016 City Council Workshop Minutes

Councilmember Juenemann moved to approve the April 25, 2016 City Council Workshop Minutes as submitted.

Seconded by Councilmember Abrams Ayes – All

The motion passed.

2. Approval of April 25, 2016 City Council Meeting Minutes

Councilmember Abrams moved to approve the April 25, 2016 City Council Meeting Minutes as submitted.

Seconded by Councilmember Xiong

Ayes – All

The motion passed.

F. APPOINTMENTS AND PRESENTATIONS

1. Administrative Presentations

a. Council Calendar Update

City Manager Coleman gave the update to the council calendar.

2. Council Presentations

Councilmember Abrams gave an update on City's Communications Committee.

3. Approval of Resolution of Appreciation for Dale Trippler for His Service on the Planning and Environmental & Natural Resources Commissions

Building Official Carver gave the staff report. Councilmember Juenemann read the resolution of appreciation.

Councilmember Juenemann moved to approve the resolution of appreciation for Planning and Environmental & Natural Resources Commissioner Dale Trippler.

Resolution 16-05-1341
Resolution of Appreciation

WHEREAS, Dale Trippler has been a member of the Maplewood Planning Commission since June 8, 1998 and has served faithfully in that capacity to the present time; and

WHEREAS, Mr. Trippler has been a member of the Maplewood Environmental and Natural Resources Commission since February 25, 2008; and he served on the Environmental Committee for three years prior to his appointment on the Commission. Mr. Trippler has served faithfully in those capacities; and

WHEREAS, the Planning Commission and Environmental and Natural Resources Commission have appreciated Mr. Trippler's experience, insights and good judgment; and

WHEREAS, Mr. Trippler has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, Mr. Trippler has shown sincere dedication to his duties and has consistently contributed his leadership, time and effort for the benefit of the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City

of Maplewood, Minnesota, and its citizens that Dale Trippler is hereby extended our gratitude and appreciation for his dedicated service.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

4. Approval of Resolution of Appreciation for Ron Cockriel for His Service on the Parks & Recreation Commission

Parks and Recreation Director Konewko gave the staff report. Mayor Slawik read the resolution of appreciation.

Mayor Slawik moved to approve the resolution of Appreciation for Parks and Recreation Commissioner Ron Cockriel.

Resolution 16-05-1342
Resolution of Appreciation

WHEREAS, Ron Cockriel has been a member of the Maplewood Parks and Recreation Commission since February 11, 2013 and has served faithfully in that capacity to the present time; and

WHEREAS, the Parks and Recreation Commission has appreciated Mr. Cockriel's experience, insights and good judgment; and

WHEREAS, Mr. Cockriel has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood; and

WHEREAS, Mr. Cockriel has shown sincere dedication to his duties and has consistently contributed his leadership, time and effort for the benefit of the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and its citizens that Ron Cockriel is hereby extended our gratitude and appreciation for his dedicated service.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

5. Approval of Proclamation Recognizing National Police Week 2016

Police Chief Schnell gave the staff report. Councilmember Smith read the proclamation recognizing National Police Week.

Councilmember Juenemann moved to approve the proclamation recognizing National Police Week May 15-21, 2016.

Seconded by Councilmember Smith

Ayes – All

The motion passed.

6. Approval of Proclamation Recognizing National Public Works Week – May 15-21

Public Works Director Thompson gave the staff report. Councilmember Xiong read the proclamation recognizing National Public Works Week.

Councilmember Xiong moved to approve the Proclamation Recognizing National Public Works Week May 15-21, 2016.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

G. CONSENT AGENDA

Councilmember Juenemann moved to approve consent agenda items G1-G11.

Seconded by Councilmember Abrams Ayes – All

The motion passed.

1. Approval of Claims

Councilmember Juenemann moved to approve the approval of claims.

ACCOUNTS PAYABLE

\$ 393,668.04	Checks # 97221 thru # 97248 dated 04/26/16
\$ 223,288.00	Disbursements via debits to checking account dated 04/18/16 thru 04/22/16
\$ 540,407.17	Checks #97249 thru #97288 dated 04/21/16 thru 05/03/16
\$ 621,055.37	Disbursements via debits to checking account dated 04/25/16 thru 04/29/16
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\$ 1,778,418.58	Total Accounts Payable

PAYROLL

\$ 516,537.70	Payroll Checks and Direct Deposits dated 04/22/16
\$ 1,767.53	Payroll Deduction check # 99102161 thru # 99102164 dated 04/08/16
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\$ 518,305.23	Total Payroll
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<u>\$ 2,296,723.81</u>	GRAND TOTAL

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

2. Approval of Temporary Lawful Gambling - Local Permits for Friends and Families of Ramsey County Care Center, 2000 White Bear Avenue

Councilmember Juenemann moved to approve the temporary Lawful Gambling – Local permit(s) for Friends and Families of Ramsey County Care Center, 2000 White Bear Avenue.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

3. Approval of a Conditional Use Permit Review, Beaver Lake Elementary School, 1060 Sterling Street

Councilmember Juenemann moved to approve to review the conditional use permit for Beaver Lake Elementary School again only if a problem arises or a major change is proposed.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

4. Approval of a Conditional Use Permit Review, Verizon Wireless Ground Equipment, 645 Sterling Street

Councilmember Juenemann moved to approve to review the conditional use permit for cell phone and public safety communications facility at the St. Paul Regional Water Services water tower site again only if a problem arises or a major change is proposed.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

5. Approval of a Conditional Use Permit Review, Laughlin Pest Control, 1055 Gervais Avenue

Councilmember Juenemann moved to approve to review the conditional use permit revision for Laughlin's Pest Control again only if a problem arises or a major change is proposed.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

6. Approval of Lease Agreement with Ashland Productions for Maplewood Community Center Theatre

Councilmember Juenemann moved to approve the Lease Agreement with Ashland Productions for MCC Theatre.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

7. Approval to Accept Grant and Authorization for City Manager to Enter into Grant Agreement for Fish Creek Improvements

Councilmember Juenemann moved to approve the \$318,000 MET Council Grant for improvements at Fish Creek; and authorize the City Manager to enter into a grant agreement with MET Council for improvements at Fish Creek.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

8. Approval Adopting Street Sweeping, Pothole Repair, and Sidewalk Maintenance Policies

Councilmember Juenemann moved to approve the Street Sweeping, Pothole Repair, and Sidewalk Maintenance Policies.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

9. Approval Authorizing Consultant to Prepare Plans and Specifications for Replacement of City Hall Chiller System

Councilmember Juenemann moved to approve authorizing a consultant to prepare plans and specification for replacement of the City Hall chiller system; and authorize the Public Works Director to sign the proposal to engage in such services.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

10. Approval of Release, Termination and Extinguishment of Temporary Easement – TH-36 and English

Councilmember Juenemann moved to approve the Release, Termination and Extinguishment of Temporary Easement for TH-36 and English.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

11. Approval of Temporary Lawful Gambling - Local Permit for the American Cancer Society of Minnesota, 3001 White Bear Avenue

Councilmember Juenemann moved to approve the temporary Lawful Gambling - Local permit for the American Cancer Society of Minnesota, 3001 White Bear Avenue

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

H. PUBLIC HEARINGS

1. Consider Approval of Ordinance Amendments in the Mixed Use Zoning District

Building Official Carver introduced the staff report. Economic Development Coordinator Martin presented the staff report and answered questions of the council. Planning Commissioner Dahm addressed the council to give the planning commission report and answer questions of the council. Greg Nelson, property owner addressed the council and thanked them for their consideration.

Mayor Slawik opened the public hearing. No one spoke.

Mayor Slawik closed the public hearing.

Councilmember Abrams moved to approve the first reading of ordinance amendments allowing increased building setbacks, the uses of drive-through sales and services, drive-up food or beverage windows and off-street parking in front of the building with the approval of a conditional use permit.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.

I. UNFINISHED BUSINESS

None

J. NEW BUSINESS

1. Consider Approval of a Conditional Use Permit Resolution, Ebenezer Karen Baptist Church, 1055 Viking Drive

Economic Development Coordinator Marin presented the staff report and answered questions of the council. Planning Commissioner Dahm addressed the council to give the planning commission report and answer questions of the council. Wildred Tunbaw,

Board Chair of Ebenezer Karen Baptist Church addressed the council to present further information and answer additional questions of the council.

Mayor Slawik moved to approve the resolution for a conditional use permit for Peter Stalland, on behalf of Tom Hermanson and Ebenezer Karen Baptist Church, at 1055 Viking Drive. Approval is based on the findings required by ordinance and subject to the following conditions:

1. The main gathering space of the church is limited to 400 persons. Applicant shall submit a seating chart to city staff.
2. No exterior site or building exterior changes, except signage, shall take place unless approved by the city. Signs shall follow the city's sign ordinance. Signs shall not be installed unless the applicant first obtains sign permits.
3. Any and all trash receptacles shall be contained within an enclosed structure. Any design of a new structure shall be subject to the city's design review process.
4. The proposed use must be substantially started within one year of council approval or the permit shall become null and void. The council may extend this deadline for one year.
5. The city council shall review this permit in one year.
6. All of the applicant's parking shall be confined to the site and not allowed on city streets or neighboring properties.
7. City ordinance requires 164 spaces for the use of the building as a church and office space and 159 are being provided. The city approves the waiver of five parking spaces. The applicant shall submit to the city a parking plan showing the location of 5 proof-of-parking spaces or a reconfigured parking plan showing the existing site with 164 spaces while meeting all parking ordinance requirements.
8. The city shall monitor any parking complaints and report to the city council about compliance annually during the CUP review.
9. The applicant shall submit a parking restriping plan and maintenance plan for staff approval.
10. The applicant shall comply with all requirements of the building official, assistant fire chief and city engineer.

Resolution 16-05-1343
Conditional Use Permit

WHEREAS, Peter Stalland, on behalf of Tom Hermanson and Ebenezer Karen Baptist Church, applied for a conditional use permit to operate a church.

WHEREAS, Section 44-1092(3) of the city ordinances requires a conditional use permit for churches and institutions of any educational, philanthropic and charitable nature.

WHEREAS, this permit applies to the property located at 1055 Viking Drive. The property description is:

That part of the West 171.32 feet of the East 662.32 feet of the Southwest 1/4 of Section 9, Township 29, Range 22 lying Northerly of State Trunk Highway No. 36-118, according to the United States Government Survey thereof, Ramsey County, Minnesota.

The North 180.00 feet of the West 180.8 feet of the East 920.32 feet of the Northeast 1/4 of the Southwest 1/4 of Section 9, Township 29, Range 22, Ramsey County, Minnesota.

That part of the West 77.20 feet of the East 739.52 feet of the Southwest 1/4 of Section 9, Township 29, Range 22, lying Northerly of State Trunk Highway No. 36-118, Ramsey County, Minnesota, according to the United States Government Survey thereof.

WHEREAS, the history of this conditional use permit is as follows:

1. On April 19, 2016, the planning commission held a public hearing. The city staff published a notice in the paper and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission also considered the report and recommendation of city staff. The planning commission recommended that the city council approve this permit.
2. On May 9, 2016, the city council considered reports and recommendations of the city staff and planning commission.

NOW, THEREFORE, BE IT RESOLVED that the city council approved the above-described conditional use permit, because:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and this Code.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.

7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause no more than minimal adverse environmental effects.

Approval is subject to the following conditions:

1. The main gathering space of the church is limited to 400 persons. Applicant shall submit a seating chart to city staff.
2. No exterior site or building exterior changes, except signage, shall take place unless approved by the city. Signs shall follow the city's sign ordinance. Signs shall not be installed unless the applicant first obtains sign permits.
3. Any and all trash receptacles shall be contained within an enclosed structure. Any design of a new structure shall be subject to the city's design review process.
4. The proposed use must be substantially started within one year of council approval or the permit shall become null and void. The council may extend this deadline for one year.
5. The city council shall review this permit in one year.
6. All of the applicant's parking shall be confined to the site and not allowed on city streets or neighboring properties.
7. City ordinance requires 164 spaces for the use of the building as a church and office space and 159 are being provided. The city approves the waiver of five parking spaces. The applicant shall submit to the city a parking plan showing the location of 5 proof-of-parking spaces or a reconfigured parking plan showing the existing site with 164 spaces while meeting all parking ordinance requirements.
8. The city shall monitor any parking complaints and report to the city council about compliance annually during the CUP review.
9. The applicant shall submit a parking restriping plan and maintenance plan for staff approval.
10. The applicant shall comply with all requirements of the building official, assistant fire chief and city engineer.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

2. Consider Approval to Purchase In-Squad Cameras from Taser International, Totaling \$24,175.

The motion passed.

L. VISITOR PRESENTATIONS – *All presentations have a limit of 3 minutes.*

1. Bob Zick, North St. Paul Resident

M. ADJOURNMENT

Mayor Slawik adjourned the meeting at 8:46 p.m.